

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 16, 2015

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN CLAYTON HARRIS,

Defendant.

No. 2:15-CR-135-SMJ-1

**PROTECTIVE ORDER AND
ORDER REGARDING
COMPLIANCE WITH 18 U.S.C. §
3509(d)**

Before the Court, without oral argument, are Plaintiff United States of America's Motion for Protective Order, ECF No. 17, and the related Motion to Expedite, ECF No. 18. Plaintiff requests the Court to issue a protective order pursuant to 18 U.S.C. § 3509(d)(3)(B)(ii) because it is necessary to protect the privacy of the minors named as potential victims. Defendant has not filed anything in opposition. Having reviewed the pleadings and the file in this matter, the Court is fully informed and grants Plaintiff's motions.

Given that this case involves a person under the age of eighteen years who is alleged to be a victim of a crime of sexual exploitation, or a witness to a crime committed against another person, the provisions of 18 U.S.C. § 3509(d) apply and this Court finds good cause to grant Plaintiff's Motion for Protective Order,

ECF No. 17. This means that all individuals and agencies described in 18 U.S.C. § 3509 (d)(1)(B) shall abide by the privacy protections of 18 U.S.C. § 3509(d)(1) and (2) as follows:

(d) Privacy protection.--

(1) Confidentiality of information.--

(A) A person acting in a capacity described in subparagraph (B) in connection with a criminal proceeding shall--

(i) keep all documents that disclose the name of any other information concerning a child in a secure place to which no person who does not have reason to know their contents has access; and

(ii) disclose documents described in clause (i) or the information in them that concerns a child only to persons who, by reason of their participation in the proceeding, have reason to know such information.

(B) Subparagraph (A) applies to--

(i) all employees of the Government connected with the case, including employees of the Department of Justice, any law enforcement agency involved in the case, and any person hired by the Government to provide assistance in the proceeding;

(ii) employees of the court;

(iii) the defendant and employees of the defendant, including the attorney for the defendant and persons hired by the

defendant or the attorney for the defendant
to provide assistance in the proceeding; and

(iv) members of the jury.

(2) Filing under seal.--All papers to be filed in court that
disclose the name of or any other information
concerning a child shall be filed under seal without
necessity of obtaining a court order. The person who
makes the filing shall submit to the clerk of the court--

(A) the complete paper to be kept under seal; and

(B) the paper with the portions of it that disclose the
name of or other information concerning a child
redacted, to be placed in the public record.

Accordingly, **IT IS HEREBY ORDERED:**


1. Plaintiff's Motion for Protective Order, **ECF No. 17**, is **GRANTED**.
2. Plaintiff's Motion to Expedite, **ECF No. 18**, is **GRANTED**.
3. All individuals and agencies listed above shall abide by the
provisions and protections of 18 U.S.C. § 3509(d).
4. Counsel shall remind all persons providing assistance on this case of
these obligations.
5. Any alleged minor victim will be referred to either by initials or
pseudonym, whichever is agreed upon by counsel for the United
States and the Defendant. Counsel shall be consistent in their use of
the selected identifiers. The parties shall prepare their witnesses and

1 instruct them to refer to the alleged minor victims only by using the
2 agreed pseudonyms rather than their names.

3 **6.** All personal information relating to any minor victim shall be
4 precluded from public disclosure.

5 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
6 and provide copies to all counsel.

7 **DATED** this 16th day of December 2015.

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9 SALVADOR MENDOZA, JR.
10 United States District Judge
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